

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,
Plaintiff,

NO. CR. S-03-0060 WBS

v.

ORDER

DONALD M. FRIEDMAN,
Defendant.

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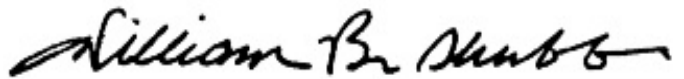
Defendant Donald M. Friedman, in propria persona, has filed a Motion for Reappointment of Counsel to handle a proposed "Motion for Expungement of Arrest and All Related Proceedings" and/or a Petition for a Writ of Habeas Corpus in relation to this case. There currently exists no absolute right to appointment of counsel in collateral proceedings such as those defendant proposes to file. See, e.g., Irwin v. United States, 414 F.2d 606 (9th Cir. 1969).

However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case "if the interests of justice so require." See Rule 8(c), Rules Governing Section 2255 Proceedings. Defendant's moving papers appear to be predicated

1 on the same kinds of delusional arguments which resulted
2 previously in his being found incompetent to stand trial. Under
3 the circumstances, the court does not find that the interests of
4 justice would be served by the appointment of counsel at this
5 time.

6 IT IS THEREFORE ORDERED that defendant's motion for
7 reappointment of counsel be, and the same hereby is, DENIED.

8 DATED: August 9, 2006

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11 WILLIAM B. SHUBB
12 UNITED STATES DISTRICT JUDGE
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